



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Tuesday, the Twenty Fourth day of November Two Thousand and Twenty
PRESENT

The Hon`ble Mr.Justice M.GOVINDARAJ

CMP(MD) . No.4655 of 2018

IN

Tr.A.S(MD)No.159 of 2010

Subramanian (Died)

... Petitioner/Appellant

Vs

1 Veeramalai (Died)

2.Idol of Arulmigu Rathinagereeswarer Temple

Rep by its Executive Officer,

Iyer Malai, Sivayam Village, Kulithalai Taluk,
Karur District.

3 Sirumbayee

4 Ponnambalam

5 Shanthi

6 Sakthivel

... Respondents/Respondents

Prayer :-

This Petition filed under order 41 Rule 19 C.P.C. to restore transfer A.S. No.159 of 2010 which was dismissed for default on 13.12.2011.

Prayer in Tr.A.S.No.76 of 2005:-

This Appeal filed under sec 96 of C.P.C. Against the decree and judgement in O.S.18/1999 on the file of the Sub Court, Kulithalai, dated 29.10.2004.

ORDER:- This Petition coming up for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Thiru. K.Govindarajan, Advocate for the Petitioner, this Court made the following order:

The present petition has been filed to restore the appeal in Tr.A.S.(MD)No.159 of 2010, which was dismissed for default on 13.12.2011.

2. Heard.



3. Having been satisfied with the reasons stated in the affidavit filed in support of the Civil Miscellaneous Petition, this Petition is allowed and the Appeal is restored to file.

4. Registry is directed to post both Tr.A.S.(MD)No.159 of 2010 and A.S.No.37 of 2005, together in the usual course.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

1. The Subordinate Judge, Kulithalai

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 24/11/2020

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ORDER

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CMP (MD) . No.4655 of 2018

IN

Tr.A.S (MD)No.159 of 2010

Giving direction and etc.
as stated within.

KM(CO)
TR(01.12.2020) 2P 3C